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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/802,002	03/17/2004	Mitsuaki Hirokawa	Q80363	3314
23373 75	90 05/18/2006		EXAMINER	
SUGHRUE MION, PLLC			MENON, KRISHNAN S	
2100 PENNSYLVANIA AVENUE, N.W. SUITE 800		ART UNIT	PAPER NUMBER	
WASHINGTON, DC 20037			1723	
			DATE MAILED: 05/18/2006	5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Application No.	Applicant(s)					
Righton 1723	Office A 4' Occurred	10/802,002	HIROKAWA ET AL.					
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Elemenius of time may be available under the provisions of 3 CFR 1.1360, in or even, however, may reply be timely filed after SIX (6) MONTH'S from the mailing date of this communication, and state of the continuation of the communication of the communication of the provision of the provision of the communication. Failur to reply which the card or canded period for reply will, by statistic, came appear than explanation to both SU S.C. (3 133). Any reply received by the Office fact than three months after the mailing date of this communication, even if timely filed, may reduce any same paterial than adjustment. See 37 CFR 1.70(b). Status 1) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-2 is/are pending in the application. 4a) Of the above daim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are allowed. 8) Claim(s) is/are as under the communication and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) = accepted or b) = objected to by the Examiner. Application Papers 9) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) = Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17 2(a)). *N	Office Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of times may be available under the provisions of 32 CFR 1.138(a). In or awart, however, may a reply be timely filled. - Extensions of times may be available under the provisions of 32 CFR 1.138(a). In or awart, however, may a reply be timely filled. - Extensions of times may be available under the provisions of 32 CFR 1.138(a). In or awart, however, may a reply be timely filled for the provision of the provisi		Krishnan S. Menon	1723					
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Paper No(s)/Mail Date 6) Other:								

Application/Control Number: 10/802,002

Art Unit: 1723

DETAILED ACTION

Claims 1-7 are pending as originally filed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by JP-2002-018248.

JP teaches a spiral wound membrane element in which the permeate side passage material has warps in parallel to the direction of flow, having width W1 200-1000 microns (paragraph 56), warp diameter h is 100-500 microns (paragraph 53), weft diameter is 50-250 microns (paragraph 54; weft can be less than 50 microns, but undesirable according to paragraph 54), which meet all the criteria claimed.

 Claims 1 and 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Janneck (US 4,022,692).

Janneck teaches a spiral wound element for dialysis in which the one of the two sides of the membrane has a spacer material with warp diameter 0.37 – 0.67 times the weft diameter (column 3 lines 40-50), specific example with warp diameter 0.85 mm, weft 0.4 mm, pitch 9 filaments/inch (column 4 lines 1-35, table), which meets the claim

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criteria. The actual diameters as in claim 5 is met by the reference, since these diameters can be any, as long as the conditions specified are met – see claim 1 of the reference. The reference does not specifically teach the feed and permeate side, but this would be only functional or intended use of the element.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krishnan S. Menon whose telephone number is 571-272-1143. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda L. Walker can be reached on 571-272-1151. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Krishnan S. Menon Patent Examiner

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